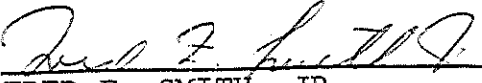


SNELLING & SNELLING OF MOBILE, \* IN THE CIRCUIT COURT OF  
INC., Plaintiff \* BALDWIN COUNTY, ALABAMA  
vs \* At Law  
BOBBY L. STEWART, \*  
Defendant \* Case No. 10,364

COUNT I. The plaintiff claims of the defendant FIVE HUNDRED SIXTY & 00/100 DOLLARS (\$560.00) due by written contract entered into by him on to wit: the 9th day of November, 1971, by which he promised to pay the plaintiff the sum of \$560.00 in the event the said plaintiff secured employment for the said defendant all according to the terms of the written contract. The plaintiff avers that the plaintiff secured the said employment and for said service the defendant owes the plaintiff the sum of \$560.00.

  
FRED F. SMITH, JR.  
Attorney for Plaintiff  
P.O.Box 487  
Fairhope, Alabama 36532

SERVE DEFENDANT AT:

20 Fig Street  
Fairhope, Alabama

FILED

APR 24 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

**SUMMONS AND COMPLAINT**

MOORE PRINTING CO. BAY MINETTE ALA.

STATE OF ALABAMA

Baldwin County

Circuit Court, Baldwin County

No. ....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Bobby L. Stewart  
20 Fig Street, Fairhope, Ala.  
.....  
.....

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint  
filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against.....

Bobby L. Stewart..... Defendant.....

by Snelling & Snelling of Mobile, Inc.  
.....

..... Plaintiff.....

witness my hand this 24 day of April 19 72

Emmie L. Black Clerk

No. 10,364

Page.....

STATE OF ALABAMA  
BALDWIN COUNTY

CIRCUIT COURT

Snelling & Snelling of Mobile,

Inc.

Plaintiffs

VS.

Bobby L. Stewart

Defendants

SUMMONS AND COMPLAINT

Filed ..... 19.....

FILED

Clerk

APR 24 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

Fred F. Smith, Jr.

302 DeLaMare - Fairhope, Ala.

Plaintiff's Attorney

Defendant's Attorney

B-6

APR 24 1972

Defendant lives at

20 Fig Street  
Fairhope, Ala.

Received In Office

19.....

Sheriff

I have executed this summons

this 29 APRIL 1972

by leaving a copy with

Bobby L. Stewart

present claims 70 miles at

Gen. Geny for miles total 700  
TAYLOR WILKINS Sheriff

W. Crook Deputy Sheriff

W. Crook Sheriff

W. Crook Deputy Sheriff

SNELLING & SNELLING OF MOBILE, INC.,	:	IN THE CIRCUIT COURT
Plaintiff,	:	OF BALDWIN COUNTY,
VS.	:	ALABAMA
BOBBY L, STEWART,	:	AT LAW
Defendant	:	CASE NO. 10,364

PLEA IN ABATEMENT

Comes now the defendant in the above styled cause and appears specially for the purpose of filing this plea in abatement, and for no other purpose, and says and shows as grounds for said plea in abatement as follows:

1. The plaintiff brings this suit on a written contract which was made in Mobile County, Alabama.

2. From aught that appears from the complaint the contract was to be performed in Mobile County, Alabama.

WHEREFORE, the premises considered, the defendant respectfully prays that the court shall abate this action or in the alternative have the suit transferred to a court of proper jurisdiction, Mobile County, Alabama.

Bobby L. Stewart  
BOBBY L. STEWART

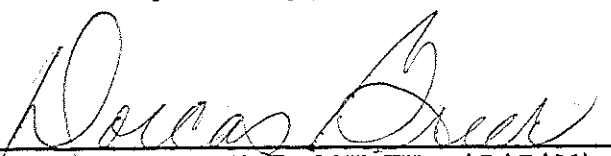
STATE OF ALABAMA  
COUNTY OF MOBILE

Personally appeared before me, the undersigned authority in and for said State and County, Leon G. Duke, who being first duly sworn by me, doth depose and say that the statements contained in the foregoing pleading are true and correct.


Bobby L. Stewart  
BOBBY L. STEWART

Subscribed and sworn to before me

on this 8th day of May, 1972.

  
\_\_\_\_\_  
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

I hereby certify that I have this 8th day of May,  
1972, mailed a copy of the above and foregoing pleading to  
Honorable Fred F. Smith, Jr., Post Office Box 487, Fairhope,  
Alabama 36532.

  
\_\_\_\_\_  
LEON G. DUKE  
Attorney for the Defendant

**FILED**

MAY 10 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

SNELLING & SNELLING OF MOBILE,  
INC.

Plaintiff

vs

BOBBY L. STEWART

Defendant

\* IN THE CIRCUIT COURT OF  
\* BALDWIN COUNTY, ALABAMA  
\* AT LAW  
\*  
\* CASE NO. 10364  
\*


Comes now the Plaintiff and files the following  
separate and several demurrers to the Defendant's Plea In  
Abatement and separately and severally says as follows:

1. For aught that appears there is no ground  
for abatement set forth by the Defendant.

2. For aught that appears the matters set forth  
by the Defendant are not grounds for abatement as provided  
by the laws of the State of Alabama.

3. For aught that appears the Defendant is a  
resident of Baldwin County, Alabama, and is liable for suit  
in Baldwin County, Alabama.

4. For aught that appears the Defendant does not  
deny his residence in Baldwin County, Alabama.


  
FRED F. SMITH, JR.  
Attorney for Plaintiff

ATTORNEY FOR DEFENDANT:

Leon G. Duke

#### Certificate of Service

I hereby certify that I have on the 28th day of August, 1972,  
served a copy of the foregoing pleading on counsel for all  
parties to this proceeding by mailing the same by United States  
mail, properly addressed and first class postage prepaid.

  
FRED F. SMITH, JR.

**FILED**

AUG 30 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK

STATE OF NEW YORK

MAR 23 1957

FILED

ERED E. SWI.

properly addressed and filed with the  
clerk of the court by the  
attorney at law of the  
party in whose behalf it is  
presented.

DEED

GEORGE C. SWAN

ATTORNEY

FRED F. SMITH, JR.  
ATTORNEY AT LAW  
P. O. BOX 487  
FAIRHOPE, ALABAMA 36532

FRED F. SMITH, JR.  
JOHNNY MACK LANE

August 28, 1972

302 DELAMARE ST.  
FAIRHOPE, ALABAMA  
928-9276

Mrs. Eunice Hackmon  
Clerk - Circuit Court  
Bay Minette, Alabama 36507

Dear Mrs. Blackmon:

Please set the matter of my demurrers to the plea in  
abatement in Snelling & Snelling vs. Bobby L. Stewart,  
10364, on the next pleading docket.

Very truly yours,



Fred F. Smith, Jr.

FFS/ces  
Enclosures (1)



SNELLING & SNELLING OF MOBILE, )  
INC., )

Plaintiff, )

VS. )

BOBBY L. STEWART, )

Defendant. )

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

AT LAW NO. 10,364

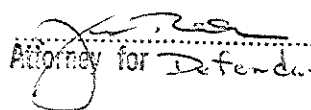
Now comes the defendant in the above styled cause and  
for plea to the complaint heretofore filed in said cause and says:

1. The allegations of the complaint are untrue.

  
Attorney for Defendant

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing  
pleading has been served upon counsel  
for all parties to this proceeding, by  
mailing the same to each by First Class  
United States Mail, properly addressed  
and postage prepaid on this 4<sup>th</sup> day  
of Dec., 19 72.

  
Attorney for Defendant

**FILED**

DEC 5 1972

EUNICE B. BLACKMON CIRCUIT  
CLERK